

By: \_\_\_\_\_ .B. No. \_\_\_\_\_

Substitute the following for \_\_\_\_B. No. \_\_\_\_\_:

By: \_\_\_\_\_ C.S.\_\_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on public contact with certain animals;  
imposing a civil penalty; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 822, Health and Safety Code, is amended  
by adding Subchapter F to read as follows:

SUBCHAPTER F. PUBLIC CONTACT WITH CERTAIN ANIMALS PROHIBITED

Sec. 822.151. APPLICABILITY. This subchapter applies only  
to the following animals:

- (1) a bear;
- (2) a cougar;
- (3) an elephant;
- (4) a jaguar;
- (5) a leopard;
- (6) a lion;
- (7) a nonhuman primate;
- (8) a snow leopard; and
- (9) a tiger.

Sec. 822.152. DIRECT CONTACT PROHIBITED. (a) A person may  
not allow a member of the public to have direct contact with an  
animal described by Section 822.151. For purposes of this  
subsection, direct contact includes allowing a member of the public  
to be in close proximity to an animal in an area without a permanent  
physical barrier preventing contact between the public and the

1 animal.

2 (b) The prohibition under Subsection (a) does not apply to a  
3 veterinarian as defined by Section 801.002, Occupations Code,  
4 providing treatment to an animal described by Section 822.151.

5 Sec. 822.153. CIVIL PENALTY. (a) A person who violates  
6 Section 822.152 is liable for a civil penalty of not less than \$200  
7 and not more than \$2,000 for each animal subject to the violation  
8 and for each day the violation continues.

9 (b) The attorney general or the appropriate district or  
10 county attorney may:

11 (1) bring an action on behalf of this state to collect  
12 the civil penalty under this section; and

13 (2) recover attorney's fees and costs incurred in  
14 bringing the action.

15 Sec. 822.154. CRIMINAL OFFENSE; PENALTY. (a) A person  
16 commits an offense if the person violates Section 822.152. Each  
17 animal subject to a violation and each day a violation continues is  
18 a separate offense.

19 (b) An offense under this section is a Class A misdemeanor.

20 Sec. 822.155. EFFECT OF SUBCHAPTER ON OTHER LAW. This  
21 subchapter does not preempt a local regulation relating to an  
22 animal described by Section 822.151 or affect the authority of a  
23 political subdivision to adopt or enforce an ordinance or  
24 requirement relating to an animal described by that section if the  
25 regulation, ordinance, or requirement:

26 (1) is compatible with and equal to or more stringent  
27 than a requirement prescribed by this subchapter; or

1                   (2) relates to an issue not specifically addressed by  
2 this subchapter.

3                   SECTION 2. This Act takes effect September 1, 2021.